

United States District Court, District of Montana
Missoula Division

James R. Elverud - Complaint
Plaintiff

Civil Action No.:

SEP 27 2021

Clerk, U.S. Courts
District of Montana
Missoula Division

Jury Trial Demanded

V.

Lake County Montana
Ronan Police Department
Deputy Austin Rubel

Deputy Christian Haynes - confederated Salish Kootenai tribes
Dispatcher of Ronan District/Zone
~~Respondent~~
Defendants

I, James R. Elverud, was pulled over without cause on March 29th, 2021 ~~through~~ in the city of Ronan By Austin Rubel, where he, dispatch and the rest of Ronan Police Department or members of Lake County Sheriffs Department fabricated a fictitious plate scenario and illegally initiated a traffic stop without cause

~~James R. Elverud~~
James R. Elverud
Plaintiff

Defendant,

Defendant, Ronan Police Department and chief ^{times}, was at all times relevant Herein the Police chief, Superintendant, Controller and Chief operator of the Ronan Police departments day to day operations and executes its policies.

Defendant,

Deputy Austin Rukel was and is at all ^{Relevant} ~~times~~ times herein the Ronan Police department, conducting traffic stops, Responding to 911 calls, issuing citations, handling evidence ~~and~~ brandishing badge and acting in a sworn capacity as an officer of the law in all its duties and responsibilities

Defendant,

Deputy Christian Haynes was and is at all Relevant times herein the Lake County Confederated Salish and Kootenai tribes, Conducting traffic stops, Responding to 911 calls, issuing citations, handling evidence, brandishing a badge, and acting in a sworn capacity as an officer of the law in all its duties and responsibilities.

Defendant,

Dispatcher of Ronan District/zone was and is at all Relevant times herein the Lake county assisted in traffic stops as dispatcher and 911 calls as dispatcher

Defendant,

Lake County of Montana, Ronan, is and was at all Relevant times Herein a municipal cooperation of the State of Montana.

This action arises under and is brought Pursuant to 42 U.S.C. Section 1983 to Remedy the deprivation under color of State Law, of rights guaranteed by the Eighth and Fourteenth Amendments to the United States Constitution. This Court has Jurisdiction over this action Pursuant to 28 U.S.C. Sections 331 and 1343 as well as Fourth Amendment Rights and violations. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable Searches and Seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

I, James R. Elverud, Plaintiff, have no other lawsuits dealing with the same facts involved in this action or otherwise Relating to their imprisonment.

I, James R. Elverud, Plaintiff, Have been kept in the Lake County Jail Since March 29th 2021 untill present being subjected to illegally obtained criminal and malicious prosecution and extremely horrible living conditions.

At all relevant times Herein, defendant ~~be~~ I, James R. Elverud, for the purpose of 42 U.S.C.

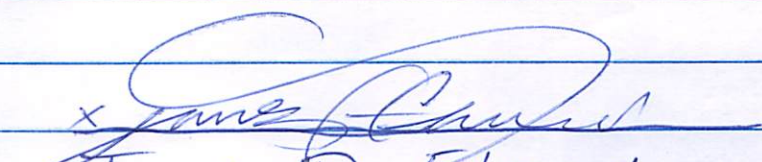
1983 and acted under color of law to deprive me, James R. Elverud, of my constitutional rights as set forth morefully Below,

1.) At 7:04 PM March 29th 2021 Ronen Deputy Austin Rubel asked for a return on the license plate of the 1995 Blue Buick Regal that I was driving. The dispatch advised Deputy Rubel that the plate was to a 1998 white Kenworth Roadmaster motorhome. Deputy Rubel then initiated the traffic stop on grounds of me, James R. Elverud, and the woman driving my car, Kelsea Rodriguez, brandishing a fictitious plate. The plate number that Deputy Rubel and dispatch were discussing was/is 416192C which may or may not be the plate number to a motorhome, but I is not the plate I had on my car

At 7:13 PM March 29th 2021 Deputy Christian Haynes of the Salish and Kootenai Tribes searched my 1995 Blue Buick Regal and asked for a return on the plates that were/are on my car. The number that he ran was/is 416917C and per dispatch notes comes back as is, a valid return with correct plate numbers for the make, model, and vin of a 1995 Blue Buick Regal, Not Stolen, expires March 31st 2021. Deputy Rubel and dispatch double checked and confirmed the wrong and improper plate initiating the traffic stop illegally and fictitiously

without cause to do so. In the last Decade or more Roman Police Department, Police chiefs, and officers have been riddled and desimanted with corruption, nepitism, falsification of documents, mishandeling of evidence, and very low conduct wich indicates poor moral authority on every level from top to bottom. Many civil suits have been won and settled quitly against the defending agencies and ~~there~~ their workers named as defendants individually and overall. The defendants have been investigated by POST and other agencies where they were found to be guilty of these gross negligent acts and reprimanded time and time again. Yet they still do as they please rather than what is within the rights of all United States citizens. Lake County and Roman Police Department is at it again.

I, James R. Elverud, Declare under penalty of Perjury that the forgoing is true and correct

x 
James R. Elverud
Plaintiff

Date: 9/21/2021

PRAYER FOR RELIEF

I, James R. Elverud, Plaintiff, Request an order declaring that the defendants have acted in violation of the United States Constitution.

I, James R. Elverud, Plaintiff, Request an injunction compelling the defendants to provide, Adequate Policing, Training, Moral efficiency testing, Hiring, Communication Skills and tactics, Defined rules of Nepotism.

I, ~~James~~ James R. Elverud, Plaintiff also request that at injunction the Lake County and Ponam Police forces Misconduct be under scrutiny and consideration for all of their wrongs in the ~~the~~ last 30 years, since more incidents continue to arise it shows that they will not take action to becoming a legitimate police agency or county and must be held and made accountable beyond their own scrutiny and decision making.

I, James R. Elverud, Plaintiff, Request that the defendants be charged and reprimanded in court for crimes that their actions constitute including mistreating a prisoner (MCA 45-5-204) since I have had to remain in the dungeon that they ~~call~~ call a detention center since the date of the illegal Search and Seizure.

I, James R. Elverud, Plaintiff request \$1,500.00 for each day of my incarceration where I was harassed

in the Lake County Detention center as compensatory damages.

I, James R. Elverud, Plaintiff request compensation for my 1995 Buick Regal that I payed \$800.00 for as compensatory damages. Also lost in the trunk of car ~~2~~ two Dragon Hawk tattoo pen rotary machine setups with power supply, pedals, cords ink amounting to \$350.00 A full color Intenze ink set Specialty tattoo ink (New) amounting to \$189.00; A Black and Gray portrait set of Intenze Specialty ink (New) amounting \$89.00 and 6 boxes of assorted Snap on high end ~~need~~ tattoo needles and tips amounting to \$200.00

Totaling: \$928.00 + \$800.00 for car


I, James R. Elverud, Plaintiff, as a full time tattooist charge a minimum of \$100.00 per hour of tattooing I do. At ~~8~~ eight hours per day five days per week I am requesting compensation for the money I would have made if not incarcerated with amounts to a conservative number of \$4,000.00 a week for every week I have been away from the opportunity to work as a tattoo artist

I, James R. Elverud, Plaintiff, Requests \$2,000,000.00 for punitive damages. Since In the Jail I was ~~assaulted~~ placed on the violent offender block with no classification when I am not a registered violent offender or here for a violent crime. while there I was ~~was~~ viciously assaulted by 4 inmates. My nose was broke, my ~~tip~~ rib was broke and my left eye socket was broken in three

parts, I have experienced vision loss pain and most of all PTSD.

I, James R. Elverud, requests Attorney fees and costs for any and all attorneys assigned to me.

Signed this 21st day of September 2021.


James R. Elverud
, Plaintiff